

### **REMARKS**

Claims 1-2, 4-17 and 19-25 are pending in the present application. By this Reply, claim 3 and 18 have been canceled. Claims 1, 12, 15, 16, 24 and 25 are independent.

The claims have been amended to clarify the invention and correct minor informalities according to U.S. patent practice. These modifications do not add new matter.

#### **Allowable Subject Matter**

Applicants appreciate the Examiner's indication that claims 3, 4, 6-10, 18, 20, 21, 22 and 23 are objected to, but allowable. Thus, to expedite prosecution only, independent claims 1 and 16 have been amended to incorporate therein allowable claims 3 and 18, respectively. Thus, independent claims 1 and 16 and their dependent claims 2, 4-11, 17 and 19-23 are allowable over the prior art of record.

#### **35 U.S.C. § 102(e) Rejection**

Claims 1-2, 5, 11, 15-17, 19 and 22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Jones et al. This rejection is respectfully traversed.

Without acquiescing to any of the Examiner's allegations made to rejecting these claims, but to advance prosecution only, independent claims 1 and 16 have been amended to incorporate therein allowable claims 3 and 18 respectively, as discussed above. Furthermore, independent claim 15 has been amended to incorporate therein allowable claim 18. Thus, claims 1, 15 and 16 and all their dependent claims are allowable over the prior art of record.

#### **35 U.S.C. § 103 Rejection**

Claims 12-14 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. in view of Sarr et al. Claim 24 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. in view of Sarr et al. and further in view of White et al. These rejections are respectfully traversed.

Independent claim 12 recites “a cluster module for determining main colour values of the digital colour image by using a cluster analysis of the colours values in a colour space”. Other independent claims 24 and 25 recite similar features in a varying scope.

In contrast to the Examiner’s allegations set forth on page 4 of the Office Action, Jones et al. does not disclose this claimed feature. Particularly, Jones et al. is directed to processing a colour image to indicate portions of the colour image which are indistinguishable for a colour blind. Therefore, Jones first requires an input of the kind of colour blindness and then the portions that are indistinguishable are highlighted by changing a saturation or brightness, by flashing the portion, by hatching the portion, and the like. The processing in Jones is on a pixel-by-pixel basis where each pixel is evaluated to determine whether the pixel has an indistinguishable colour. That is, in Jones, the definition of the colours relates to the colours that are indistinguishable to the colour blind person.

In contrast, in Applicants’ embodied invention, the main colour values are determined from the digital image, irrespective of the kind of colour blindness. The embodied method of the present application aims to process the image, instead of processing individual pixels of the image. As set forth, e.g., in paragraph [040] of the specification, the main colour value according to Applicants embodied invention represents a portion of the image that has substantially the same colour. Then based on the identified main colour value, a hue shift is performed on the main colour values that may be indistinguishable by a colour blind. As a result, the complex processing of the image may require less computing power.

Thus, Jones fails to teach or suggest a cluster module for determining such main colour value of the digital colour image by using a cluster analysis of the colours value in a colour space, as claimed. Furthermore, the other secondary references fail to overcome these deficiencies of Jones. For instance, Sarr may be directed to a use of a cluster analysis; however, Sarr fails to teach or suggest a cluster module for determining main colour values of the digital colour image, by using a cluster analysis of the colours values in a colour space.

Therefore, claims 12, 24 and 25 are patentable over the references and the rejections should be withdrawn.

**CONCLUSION**

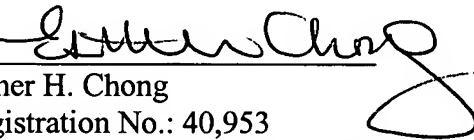
In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong Reg. No. 40,953 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By   
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